

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Robert E. Denton

Case Number: 0980 2:08CR00094-RHW-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: September 30, 2009

Original Offense: Possession of 5 Grams or More of Cocaine Base, in the Form of Crack Cocaine, 21 U.S.C. § 844(a)

Original Sentence: Prison - 60 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Aine Ahmed

Date Supervision Commenced: November 10, 2015

Defense Attorney: Colin G. Prince

Date Supervision Expires: November 9, 2018

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 03/30/2016.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition # 4: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: On April 26, 2016, Mr. Denton reported to U.S. Probation as directed to submit a urinalysis sample for testing. The sample provided by Mr. Denton was presumptive positive for cocaine and THC.

On April 28, 2016, while present at the U.S. Probation Office, Mr. Denton admitted to the illicit use of marijuana and cocaine occurring on Monday, April 25, 2016. Further, Mr. Denton admitted to using the prescription medication Oxycodone on Saturday, April 23, 2016. Mr. Denton confirmed that the medication was not prescribed for his use. Mr. Denton signed a drug use admission form documenting the aforementioned behavior, but did indicate that he only used the prescription medication due to dental pain. Mr. Denton indicated that he used both the cocaine and marijuana as a result of receiving information indicating that his grandmother was in a significant state of declining health.

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Standard Condition # 9: The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: On April 26, 2016, while conducting a random home contact with the assistance of United States Probation Officer Lerch, Mr. Denton was observed to be home with two previously unidentified occupants. Mr. Denton introduced the male occupant as his cousin; however, provided a false first name and indicated that he did not know how to spell his cousin's last name. The male contact initially provided a false name as well; however, eventually correctly identified himself and provided a Washington State identification card as verification of identity. The party was known to the undersigned officer as a convicted felon who was previously on supervised release with the Washington State Department of Corrections. Further, the undersigned officer was aware that the male contact was previously supervised out of the Washington State Department of Corrections' gang unit.

Follow up investigation by the undersigned officer concluded that while the contact was no longer on active supervision with the Washington State Department of Corrections, he was affiliated with the Atlantic Drive Crips. Mr. Denton had not previously made this relationship known to the undersigned officer or requested permission to associate with the contact. It should be noted that Mr. Denton also has a condition specifically prohibiting contact with known gang members.

On April 28, 2016, during Mr. Denton's report to U.S. Probation, Mr. Denton acknowledged that he was aware of both the contacts' previous felony record, and his gang affiliation.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 29, 2016

s/ Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

4/29/2016

Date